

IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

101

CRM-M-5324-2024  
Decided on: 04.03.2024

Rupinder Kaur Sandhu ...Petitioner

Versus

State of Punjab ...Respondent

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Mr. Sant Pal Singh Sidhu, Advocate for the petitioner.

Mr. Anurag Chopra, Addl. AG, Punjab.

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ANOOP CHITKARA, J.

| FIR No. | Dated      | Police Station                                 | Sections                                                                                                          |
|---------|------------|------------------------------------------------|-------------------------------------------------------------------------------------------------------------------|
| 16      | 02.05.2023 | Vigilance Bureau,<br>Flying Squad-I,<br>Mohali | 409, 420, 465, 466, 467, 468, 471,<br>120-B IPC r/w Section 13(1)(a),<br>13(2) of Prevention of Corruption<br>Act |

1. The petitioner apprehending arrest in the FIR captioned above, had come up before this Court under Section 438 CrPC seeking anticipatory bail by filing the present petition.

2. Vide order dated 01.02.2024, the petitioner was granted interim bail, which is continuing till date. When the matter was listed on 21.02.2024, following order was passed:-

“Counsel for the petitioner submits that they are voluntarily willing to return the alleged excess amount of land compensation but they could not do so because they were not aware of the account number in which money had to be transferred.  
Let the counsel for the State supply bank account number along with amount which the petitioner had to deposit.  
List on 23.02.2024.  
Petitioner to handover the receipt of payment of compensation to this Court, to demonstrate the genuineness of their offer.  
Interim order to continue till the next date of hearing.”

3. Facts of the case are being taken from reply dated 17.02.2024, which reads as follows:-

“That it is respectfully submitted that with regard to the subject matter of the present petition, it is submitted that the case/FIR No.16, dated 02.05.2023, under section 409, 420, 465, 466, 468, 471, 120-B IPC and 13(1) r/w 13(2) Prevention of Corruption Act, 1988 as Amended by Prevention of Corruption (Amendment) Act 2018 (Section 201 IPC added later on) at Police Station Vigilance Bureau, Flying Squad-1, Punjab at Mohali on the basis of the inquiry report in Complaint number 707 of 2022, which was initiated on the basis of a Source Information Report. As per the same, in year 2016-17, Greater Mohali Area Development Authority (herein after referred as 'GMADA') started process of acquisition of land for public purpose, namely setting up of "Aerotropolis Residential Project near IT City and Aero City Scheme" in different villages regarding which Social Impact Assessment (hereinafter referred as 'SIA') notification under section 4 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation, and Resettlement Act, 2013 (hereinafter referred as 'Act') was issued on 15.12.2017. Accordingly, a public notice dated 20.12.2017 regarding this notification, with a view to associate the interested persons in carrying out SIA study was also published in two leading newspapers viz 'The Tribune' (English version) and 'Ajit' (Punjabi version) of 20.12.2017. Subsequently, Preliminary Notification no. 06/05/2017-6HG1/1412820/1 dated 06.02.2019 under section 11 of the Act was issued by the Government of Punjab,

Department of Housing and Urban Development for acquisition of 737.1252 acres of land of 5 Villages (Bakarpur, Nraingarh, Safipur, Chhat & Rurka) of District S.A.S. Nagar. It is further submitted that this notification under Section 11 of the Act was published in the official Gazette dated 06.02.2019 and also in two leading newspapers i.e. 'The Tribune' (English language) and 'Rozana Ajit' (Punjabi language) on 19.02.2019. Besides this, the aforesaid notification was also displayed on the notice boards of Gram panchayats of Villages Bakarpur, Nraingarh, Safipur, Chhat & Rurka and the same were also forwarded to the Deputy Commissioner, S.A.S. Nagar and Tehsildar, Mohali vide letter no. 10986-91 dated 18.02.2019. This notification was also uploaded on the official website (gmada.gov.in) of GMADA for the information of General Public. It is pertinent to mention here that the substance regarding the issuance of notification u/s 11 of the Act also got entered in the Rapat Roznamcha of Village Bakarpur vide Rapat No. 231 dated 11.03.2019 by the concerned Halqa Patwari. Thereafter, declaration under section 19 of the Act was issued vide notification no. 06/05/2017-6HG1/1170/A1 dated 28.08.2020 for acquisition of 581.1867 acres of land of Villages Bakarpur, Safipur and Rurka (Pocket A). This declaration under Section 19 of the Act was published in the Official Gazette on 28.08.2020 and in 2 leading newspapers i.e. 'Hindustan Times' (English version) and 'Rozana Ajit' (Punjabi version) dated 29.08.2020. Further, process of acquisition was completed vide Award 73 number 573 dated 08.01.2021, Pocket-A for

total area of 579.71 acres situated at village Bakarpur, Rurka and Safipur: vide Award number 574 dated 08.01.2021, Pocket-B for total area of 206.39 acres at village Mattran, Manoli and Siaun; vide Award number 575 dated 08.01.2021, Pocket -C for total area of 242.54 acres at village Patton, Manoli and Siaun; vide Award number 576 dated 08.01.2021, Pocket -D for total area of 493.88 acres at village Patton, Manoli, Saini Majra and Chau Majra; vide Award number 577 dated 12.02.2021, Pocket-A at village Naraingarh for total area of 68.66 acres and vide Award number 578 dated 12.02.2021, Pocket-A at village Chatt for total area of 60.41 acres.”

4. Today i.e. 04.03.2024, petitioner’s counsel has voluntarily handed over demand draft of Rs.22,40,276/- and prays that State be directed to make FDR of this amount and in case, finally the amount is found to belong to the petitioner, the same may be refunded to the petitioner.
5. Given above, counsel for the State is directed to handover the demand draft to the concerned officer and inform him to open an FDR of this amount with automatically renewable clause. It is further directed that in case, at the time of final outcome of the trial, it is found that the above said amount relates to the present petitioner, the same be refunded to her with accrued benefits i.e. interest.
6. Given above, petition is allowed and interim order dated 01.02.2024 is made absolute. Pending applications, if any, stand disposed of.

(ANOOP CHITKARA)  
JUDGE

04.03.2024  
anju rani

Whether speaking/reasoned: Yes  
Whether reportable: No.